

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHEYENNE BERRY,
Plaintiff,

v.

AMAZON.COM SERVICES LLC, et al.,
Defendants.

Case No. [23-cv-03614-TLT](#)

**ORDER TRANSFERRING CASE TO
[THE EASTERN DISTRICT OF
CALIFORNIA – FRESNO DIVISION]**

On September 14, 2023, Defendants, Amazon.com, Inc. and Amazon.com Services, LLC filed a Motion to Transfer or Dismiss the First Amended Class Action Complaint.

Having carefully considered the parties' briefs, the relevant legal authority, and oral argument, the Court **GRANTS** Defendant's motion to transfer and denies the motion to dismiss, without prejudice, in all other respects.

A District Court may transfer a civil action to any district where it might have been brought, for the convenience of parties and witnesses, in the interest of justice. 28 U.S.C. § 1404(a). "A civil action may be brought in a [] district in which a substantial part of the events . . . giving rise to the claim occurred." 28 U.S.C. § 1391(b)(2). In making this determination, the parties dispute whether the Court should rely on the specific events giving rise to the named plaintiff's claims or to events of the unnamed class members. The Ninth Circuit clarified that "in a class action, the 'events' in question are *only those involving the named plaintiffs*." *In re Bozic*, 888 F.3d 1048, 1053 (9th Cir. 2018). Here, Plaintiff's claims arise from events that occurred in Shafter, Kern County, California, which is located in the Eastern District of California - Fresno Division. Accordingly, the Clerk shall TRANSFER this action to the United States District Court for the Eastern District of California, where proper venue lies because a substantial part of the events or omissions giving rise to the claims occurred there.

IT IS SO ORDERED.

This order resolves ECF No. 15.

Dated: January 18, 2024



TRINA L. THOMPSON
United States District Judge

United States District Court
Northern District of California